

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Rule making related to apprenticeship

The Iowa Board of Barbering hereby amends Chapter 21, “Licensure,” and Chapter 22, “Infection Control for Barbershops and Barber Schools,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code chapter 158 and sections 147.76 and 272C.16.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 147 and 158 and section 272C.16.

Purpose and Summary

This rule making implements the provisions of 2021 Iowa Acts, Senate File 424, which recognized registered U.S. Department of Labor apprenticeships as a pathway to licensure, and provides guidance to license holders on their responsibilities to the public and to their apprentices when operating an apprenticeship. Updates also have been made to clarify that apprenticeship hours earned while a person is in the custody of the Department of Corrections are transferable to other apprenticeships.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 23, 2022, as **ARC 6259C**. A public hearing was held on April 12, 2022, at 9 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on May 16, 2022.

Fiscal Impact

This rule making has minimal fiscal impact to the State of Iowa. Licensees will no longer need to pay to receive duplicate wallet cards and instead will be able to print their own renewal verification if needed.

Jobs Impact

This rule making implements 2021 Iowa Acts, Senate File 424, which impacts the Governor’s priorities of creating another pathway for training and licensure.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on August 3, 2022.

The following rule-making actions are adopted:

ITEM 1. Amend rule **645—21.1(158)**, definition of “Apprentice,” as follows:

“Apprentice” means ~~any person, other than a helper, journey person, or master, who is working under the supervision of either a master or a journey person and is progressing toward completion of a barbering apprenticeship training program registered by the Office of Apprenticeship of the United States Department of Labor while learning and assisting in the practice of barbering~~ a person who is at least 16 years of age, who is employed in an apprenticeship occupation, who is a resident of the state of Iowa, and who is registered in Iowa by the Office of Apprenticeship of the United States Department of Labor.

ITEM 2. Adopt the following new definitions of “Apprenticeship program” and “Apprenticeship sponsor” in rule **645—21.1(158)**:

“Apprenticeship program” means a program registered by the Office of Apprenticeship of the United States Department of Labor which includes terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including the requirement for a written apprenticeship agreement between an apprentice and an active licensee in an active licensed barbershop as outlined in Iowa Code section 272C.16.

“Apprenticeship sponsor” means an entity operating an apprenticeship program or an entity in whose name an apprenticeship program is being operated, which is registered by or approved by the Office of Apprenticeship of the United States Department of Labor.

ITEM 3. Amend paragraph **21.2(1)“c”** as follows:

c. Applicants shall provide an official copy of the transcript or diploma sent directly from the school to the board showing proof of completion of training at a barber school licensed by the board. If the applicant graduated from a school that is not licensed by the board, the applicant shall direct the school to provide an official transcript showing completion of a course of study that meets the requirements of rule 645—23.8(158). ~~If the applicant completed a barbering apprenticeship training program registered by the Office of Apprenticeship of the United States Department of Labor while committed to the custody of the director of the department of corrections, the applicant shall request the department of corrections to provide an official transcript showing completion of the apprentice program.~~

ITEM 4. Reletter paragraphs **21.2(1)“d”** to **“h”** as **21.2(1)“e”** to **“i.”**

ITEM 5. Adopt the following new paragraph **21.2(1)“d”**:

d. If the applicant has graduated from an apprenticeship program, the applicant must direct the United States Department of Labor to submit a certificate of completion. If the applicant completed all or part of a barbering apprenticeship training program registered by the Office of Apprenticeship of the United States Department of Labor while committed to the custody of the director of the department of corrections, the applicant shall request the department of corrections to provide an official transcript showing completion of all or part of the apprenticeship program.

ITEM 6. Amend paragraph **21.2(3)“a”** as follows:

a. Complete all requirements stated in ~~subrule 21.2(1), paragraphs “a” paragraphs 21.2(1) “a” and “d” “e”;~~

ITEM 7. Adopt the following **new** subrule 21.2(7):

21.2(7) Persons licensed under this chapter who provide apprenticeship programs must hold an active license sufficient to provide on-the-job training, must operate an actively licensed establishment and must comply with relevant United States Department of Labor laws and regulations for the operation of an apprenticeship program.

ITEM 8. Adopt the following **new** definitions of “Apprentice,” “Apprenticeship instructor,” “Apprenticeship program,” “Apprenticeship sponsor” and “On-the-job trainer” in rule **645—22.1(158)**:

“*Apprentice*” means a person who is at least 16 years of age, who is employed in an apprenticeable occupation, who is a resident of the state of Iowa, and who is registered in Iowa by the Office of Apprenticeship of the United States Department of Labor.

“*Apprenticeship instructor*” means an instructor who delivers theory instruction in apprenticeship programs and who must meet the United States Department of Labor’s requirements for career and technical instructors. It is recommended that all apprenticeship instructors have training in teaching techniques and adult learning styles.

“*Apprenticeship program*” means a program registered by the Office of Apprenticeship of the United States Department of Labor which includes terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including the requirement for a written apprenticeship agreement between an apprentice and an active licensee in an active licensed barbershop as outlined in Iowa Code section 272C.16.

“*Apprenticeship sponsor*” means an entity operating an apprenticeship program or an entity in whose name an apprenticeship program is being operated, which is registered by or approved by the Office of Apprenticeship of the United States Department of Labor.

“*On-the-job trainer*” means the individual providing instruction and supervision of the apprenticeship program practical hours. This individual must be a licensee of the board in the discipline for which they are training, and the training must occur in a licensed establishment.

ITEM 9. Amend subrule 22.3(5) as follows:

22.3(5) Each licensee and apprentice shall have a valid U.S. government-issued photo ID to provide to an agent of the board upon request as proof of identity.

ITEM 10. Adopt the following **new** subrule 22.3(6):

22.3(6) A sign shall be clearly displayed in the entrance of the barbershop that indicates in prominent lettering that an apprentice is employed and may perform services under the supervision of a licensed apprenticeship supervisor.

ITEM 11. Adopt the following **new** subrule 22.4(3):

22.4(3) Each barbershop owner who provides apprenticeship programs must ensure on-the-job trainers are licensed and operating in an actively licensed establishment and comply with relevant United States Department of Labor laws and regulations for the operation of an apprenticeship program.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 6/29/22.